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Attorneys for Plaintiff  
DOCTORS MEDICAL CENTER OF  
MODESTO, INC., a California corporation

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

DOCTORS MEDICAL CENTER OF  
MODESTO, INC., a California corporation,

Plaintiff,

v.

ALLIANCE INTERNATIONAL ASSISTANCE,  
LLC, a Texas corporation; and DOES through 1  
25, inclusive,

Defendants.

CASE NO.: 1:05-cv-00028-REC-SMS

(1) **STIPULATION TO AMEND  
COMPLAINT**

(2) **ORDER THEREON**

Judge: Robert E. Coyle  
Courtroom No: 1

WHEREAS, the defendant "Travel and Personal Underwriters" was added as a Doe Defendant prior to the filing of the Notice of Removal in this case;

WHEREAS, it appears that the correct name of said party is in fact "Travel and Personal Underwriters Limited" rather than "Travel and Personal Underwriters";

WHEREAS, it is the desire of the parties to amend the complaint to correctly name said defendant as "Travel and Personal Underwriters Limited" and to reflect the fact that this action is now pending in Federal court;

1 WHEREAS, counsel for Defendant ALLIANCE INTERNATIONAL ASSISTANCE  
2 (“Alliance”) also represents “Travel and Personal Underwriters Limited”;

3  
4 WHEREAS, it is the desire of the parties to expeditiously reach the merits of the case;

5  
6 THEREFORE, IT IS HEREBY STIPULATED by and between counsel for the parties who have  
7 appeared in this action: Plaintiff DOCTORS MEDICAL CENTER OF MODESTO, INC., and  
8 Defendant ALLIANCE INTERNATIONAL ASSISTANCE, LLC, as follows:

- 9
- 10 1. That Plaintiff may file an amended complaint to include the defendant named “Travel and  
11 Personal Underwriters Limited”;
  - 12
  - 13 2. That Exhibit 1 hereto contains a true and accurate copy of the amended complaint that Plaintiff  
14 may file;
  - 15
  - 16 3. That Exhibit 2 hereto contains a true and accurate copy reflecting the changes that have been  
17 introduced by said amended complaint as compared to the original state court complaint;
  - 18
  - 19 4. That counsel for Travel and Personal Underwriters Limited will accept service of process on  
20 behalf of Travel and Personal Underwriters Limited;
  - 21
  - 22 5. That, for the purposes of this litigation, Alliance was an agent-in-fact for Travel and Personal  
23 Underwriters Limited for the hospitalization described in the amended complaint, and Travel and  
24 Personal Underwriters Limited therefore accepts any and all of the liabilities (if any) of Alliance  
25 caused by said agency-in-fact;
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6. That after the amended complaint has been filed and served upon Alliance and Travel and Personal Underwriters Limited (by way of counsel), that Plaintiff will dismiss Defendant Alliance with prejudice.

7. That Travel and Personal Underwriters will not use Alliance's dismissal in any way to limit Travel and Personal Underwriters' own liability (if any).

SO STIPULATED.

Date: April 7, 2005

STEPHENSON, ACQUISTO & COLMAN

/s/ Barry Sullivan  
BARRY SULLIVAN  
Attorney for Plaintiff  
DOCTORS MEDICAL CENTER OF  
MODESTO, INC.

SO STIPULATED.

Date: April 7, 2005

LONG & LEVIT LLP

/s/ Seth Watkins  
SETH WATKINS  
Attorney for Defendant and Cross-Complainant  
ALLIANCE INTERNATIONAL ASSISTANCE  
LLC

**ORDER**

The parties having stipulated to amend the complaint to correct the names of the parties,  
IT IS HEREBY ORDERED that Plaintiff is given leave to file the amended complaint to  
substitute the name "Travel and Personal Underwriters Limited" for the defendant previously designated  
as "Travel and Personal Underwriters."

IT IS SO ORDERED.

Dated: May 6, 2005  
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/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE